

## CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: April 18, 2005 Name: Robert S. Mallin

Signature: *Robert S. Mallin*

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GILSON  
& LIONE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: R. Everts et al.

Appln. No.: 10/666,924

Filed: September 19, 2003

For: Operator Carried Power Tool Having A  
Four-Cycle Engine And An Engine  
Lubrication Method

Examiner: N. Kamen

Art Unit: 3747

Attorney Docket No: 10512/41

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL

Sir:

## Attached is/are:

- ☒ Transmittal (in duplicate); Third Supplemental Information Disclosure Statement; PTO Form 1449; One Copy of Reference D1 (along with translation)
- ☒ Return Receipt Postcard

## Fee calculation:

- ☒ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+ \$180=			+ \$360=	
					Total	\$		Total	\$

## Fee payment:

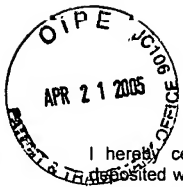
- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Date

4/18/05

Respectfully submitted,

*Robert S. Mallin*  
Robert S. Mallin (Reg. No. 35,596)



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Commissioner for Patents  
P.O. Box 1450  
Alexandra, VA 22313-1450  
on April 18, 2005

Date of Deposit

Robert S. Mallin

Name of applicant, assignee or  
Registered Representative

*Robert S. Mallin*

Signature

4/18/05

Date of Signature

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: R. Everts et al.

Appln. No.: 10/666,924

Filed: September 19, 2003

For: OPERATOR CARRIED POWER  
TOOL HAVING A FOUR-CYCLE  
ENGINE AND AN ENGINE  
LUBRICATION METHOD

Attorney Docket No: 10512/41

Examiner: N. Kamen

Art Unit: 3747

## THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(b), Applicants hereby cites the following reference(s):

### FOREIGN PATENT DOCUMENTS

<u>Document No.</u>	<u>Date</u>	<u>Country</u>
JP 61-39416	3/12/1986	Japan

Applicants are enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). The reference being cited herein was previously submitted as reference B41 on the PTO-1449 form filed along with the Information Disclosure Statement dated November 12, 2004. However, after reviewing the document that was submitted, Applicants note that the last page of the English translation was inadvertently omitted. Thus, Applicants hereby submit a fully-translated version of the Japanese reference.

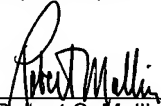
Applicants respectfully request the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

By submitting this Statement, Applicants are attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

Because the Applicants have previously submitted this reference in a prior Information Disclosure Statement, Applicants believe there are no fees due in connection with the filing of this Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Statement to a deposit account, as authorized in the Transmittal accompanying this Statement.

Respectfully submitted,

4/18/05  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Robert S. Mallin (Reg. No. 35,596)



FORM PTO-1449	SERIAL NO. 10/666,924	CASE NO. 10512/41
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT	FILING DATE September 19, 2003	GROUP ART UNIT 3747
(use several sheets if necessary)	APPLICANT(S): Robert G. Everts, et al.	

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
	D1	JP 61-39416	3/12/1986	Japan		Yes

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.